

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

ERNEST SEAY,

Petitioner,

-vs-

WARDEN, Oakwood Correctional
Institution,

Respondent.

:

Case No. 1:10-cv-828

:

District Judge S. Arthur Spiegel
Magistrate Judge Michael R. Merz

**ORDER VACATING STAY AND ORDERING COMPLETION OF THE
RECORD**

On October 12, 2011, this Court granted Respondent's Motion to Stay these proceedings pending the outcome of Petitioner's state court action on a petition to vacate his conviction (Doc. No. 22). On July 25, 2012, the Ohio Supreme Court declined to hear Petitioner's appeal in that case. *Ohio v. Seay*, No. 2012-0599. It thus appears that the state court proceedings are complete.

It is accordingly ordered that Respondent file not later than August 20, 2012, a supplemental return of writ with copies of the state court record generated in this matter since the original Return was filed. Petitioner may file a supplemental reply not later than twenty-one days after the supplemental return is filed.

August 3, 2012.

s/ *Michael R. Merz*
United States Magistrate Judge